

## **AMENDMENTS TO THE CLAIMS**

1. (Canceled)

2. (Currently amended) ~~The device of claim 1 further comprising~~ A bottle security device for use with a bottle having a neck, the bottle security device comprising:

an inner member including a plurality of downwardly extending locking fingers adapted to fit around at least a portion of the neck of the bottle;

an intermediate member defining a cavity; a portion of each locking finger of the inner member being disposed in the intermediate member cavity; the inner member being moveable between locked and unlocked positions;

an outer member defining a cavity; a portion of the intermediate member and a portion of the inner member being disposed in the outer member cavity;

a rotatable member that engages and moves a portion of the intermediate member to unlock the device when the rotatable member is rotated; and

a locking mechanism which selectively allows the rotatable member to move between a rotatable member locked position and a rotatable member unlocked position.

3. (Previously presented) A bottle security device for use with a bottle having a neck, the bottle security device comprising:

an inner member adapted to fit around at least a portion of the neck of the bottle;

an intermediate member defining a cavity; a portion of the inner member being disposed in the intermediate member cavity; the inner member being moveable between locked and unlocked positions;

an outer member defining a cavity; a portion of the intermediate member and a portion of the inner member being disposed in the outer member cavity;

a rotatable member that engages and moves a portion of the intermediate member to unlock the device when the rotatable member is rotated; and

a locking mechanism which selectively allows the rotatable member to move between a rotatable member locked position and a rotatable member unlocked position; the locking mechanism including at least one magnetically movable piston which creates an interference between the rotatable member and another member of the device when in the rotatable member locked position.

4. (Original) The device of claim 3 further including a spring which biases the at least one piston into locking engagement between the rotatable member and the other member of the device.

5. (Currently amended) ~~The device of claim 4~~ A bottle security device for use with a bottle having a neck, the bottle security device comprising:

an inner member including a plurality of downwardly extending locking fingers adapted to fit around at least a portion of the neck of the bottle;

an intermediate member defining a cavity; a portion of each locking finger of the inner member being disposed in the intermediate member cavity; the inner member being moveable between locked and unlocked positions; wherein the intermediate member includes at least one engaging finger;

an outer member defining a cavity; a portion of the intermediate member and a portion of the inner member being disposed in the outer member cavity;  
and

~~which the rotatable member~~ a rotatable member that engages and moves the at least one engaging finger to unlock the device when the rotatable member is rotated.

6. (Original) The device of claim 5 wherein the at least one engaging finger moves radially outwardly to unlock the device.

7. (Original) The device of claim 6 wherein one of the rotatable member and the at least one engaging finger includes a camming surface which engages the other of the rotatable member and the at least one engaging finger to move the at least one finger radially outwardly to unlock the device when the rotatable member is rotated.

8. (Currently amended) ~~The device of claim 1~~ A bottle security device for use with a bottle having a neck, the bottle security device comprising:

an inner member including a plurality of downwardly extending locking fingers adapted to fit around at least a portion of the neck of the bottle;

an intermediate member defining a cavity; a portion of each locking finger of the inner member being disposed in the intermediate member cavity; the inner member being moveable between locked and unlocked positions;

an outer member defining a cavity; a portion of the intermediate member and a portion of the inner member being disposed in the outer member cavity;  
and

a rotatable member that engages and moves a portion of the intermediate member to unlock the device when the rotatable member is rotated; wherein one of the rotatable member and the intermediate member includes a camming surface which engages the other of the rotatable member and the intermediate member to move a portion of the intermediate member to unlock the device when the rotatable member is rotated.

9. (Currently amended) The device of ~~claim 1~~ claim 2 wherein the rotatable member is disposed one of substantially and entirely within the outer member cavity.

10. (Currently amended) The device of ~~claim 1~~ claim 2 wherein the entire rotatable member is disposed above the inner member when the device is locked on the bottle.

11. (Previously presented) A bottle security device for use with a bottle having a neck, the bottle security device comprising:

an inner member adapted to fit around at least a portion of the neck of the bottle;

an intermediate member defining a cavity; a portion of the inner member being disposed in the intermediate member cavity; the inner member being moveable between locked and unlocked positions;

an outer member defining a cavity; a portion of the intermediate member and a portion of the inner member being disposed in the outer member cavity; and

a rotatable member that engages and moves a portion of the intermediate member to unlock the device when the rotatable member is rotated; wherein the rotatable member has a rotated position which unlocks the device, a non-rotated position, a locked position and an unlocked position; the rotatable member must be in the non-rotated position to move from the unlocked position to the locked position; a force must be applied to move the rotatable member from the non-rotated position to the rotated position; and wherein the rotatable member automatically returns to at least the rotatable member unlocked and non-rotated positions when the force is removed.

12. (Original) The device of claim 11, further comprising a resilient member that returns the rotatable member to the non-rotated position.

13. (Original) The device of claim 11 further including a magnetic key which engages the rotatable member to move the rotatable member from the locked position to the unlocked position and from the non-rotated position to the rotated position; and wherein the rotatable member automatically returns to the rotatable member locked position when the key is disengaged from the rotatable member.

14. (Currently amended) The device of ~~claim 1~~ claim 2 wherein the inner member automatically moves from the locked position to the unlocked position when the rotatable member is rotated.

15. (Currently amended) The device of claim 14 wherein ~~the inner member includes a plurality of resilient locking fingers which~~ are resilient and move radially outwardly when the inner member moves from the locked position to the unlocked position.

16. (Original) The device of claim 15 wherein the intermediate member includes a camming surface which the resilient locking fingers slidably engage with outward pressure so that outward movement of the locking fingers is translated to downward movement of the inner member to create the automatic movement of the inner member from the locked to the unlocked position.

17. (Currently amended) The device of ~~claim 1~~ claim 2 further including an EAS tag disposed within the cavity of the outer member.

18. (Previously presented) A bottle security device for use with a bottle having a neck, the bottle security device comprising:

- an inner member adapted to fit around at least a portion of the neck of the bottle;

- an intermediate member defining a cavity; a portion of the inner member being disposed in the intermediate member cavity; the inner member being moveable between locked and unlocked positions;

- an outer member defining a cavity; a portion of the intermediate member and a portion of the inner member being disposed in the outer member cavity;

- a rotatable member that engages and moves a portion of the intermediate member to unlock the device when the rotatable member is rotated; and

the inner member being disposed entirely within the intermediate member when the device is locked on the bottle.

19. (Previously presented) A bottle security device for use with a bottle having a neck, the bottle security device comprising:

- an inner member including a plurality of downwardly extending locking fingers adapted to fit around at least a portion of the neck of the bottle; the inner member being moveable between locked and unlocked positions;

- an outer member having a sidewall defining a cavity; a portion of the inner member being disposed in the cavity;

- at least one engaging finger projecting upwardly within the cavity between the outer member sidewall and the locking fingers and engaging the inner member to lock the device;

- a rotatable member which is selectively rotatable to unlock the device;

and

- one of the rotatable member and the at least one engaging finger including a camming surface which engages the other of the rotatable member and the engaging finger to move the engaging finger radially to unlock the device when the rotatable member is rotated.

20. (Previously presented) A bottle security device for use with a bottle having a neck, the bottle security device comprising:

- an inner member adapted to fit around at least a portion of the neck of the bottle; the inner member being moveable between locked and unlocked positions;

- an outer member defining a cavity; a portion of the inner member being disposed in the cavity;

- at least one finger projecting upwardly within the cavity and engaging the inner member to lock the device;

- a rotatable member which is selectively rotatable to unlock the device;

one of the rotatable member and the at least one finger including a camming surface which engages the other of the rotatable member and the finger to move the finger radially to unlock the device when the rotatable member is rotated; and

a magnetically actuated locking mechanism which selectively allows the rotatable member to move between a rotatable member locked position and a rotatable member unlocked position.

21. (Original) The device of claim 20 wherein the rotatable member has a rotated position which unlocks the device and a non-rotated position which the rotatable member must be in to move from the unlocked position to the locked position; a force must be applied to move the rotatable member from the non-rotated position to the rotated position; and wherein a resilient member returns the rotatable member to the non-rotated position when the force is removed.

22. (Original) The device of claim 21 wherein the locking mechanism is disposed within the cavity of the outer member.

23. (Original) The device of claim 22 further including an EAS tag disposed within the cavity of the outer member.

24. (Original) The device of claim 23 wherein the outer member includes a sidewall having an inner surface and wherein the device further includes a plurality of strengthening fingers extending upwardly inside the outer member cavity and abutting the inner surface of the outer member sidewall.

25-26 (Canceled)

27. (Currently amended) ~~The device of claim 1 wherein~~ A bottle security device for use with a bottle having a neck, the bottle security device comprising:

an inner member including a plurality of downwardly extending locking fingers adapted to fit around at least a portion of the neck of the bottle;

an intermediate member defining a cavity; a portion of each locking finger of the inner member being disposed in the intermediate member cavity; the inner member being moveable between locked and unlocked positions;

an outer member defining a cavity; a portion of the intermediate member and a portion of the inner member being disposed in the outer member cavity;

a plurality of resilient fingers which extend upwardly inside the outer member cavity and selectively lockably engage the inner member;

a rotatable member that engages and moves a portion of the intermediate member to unlock the device when the rotatable member is rotated; and wherein the rotatable member moves the resilient fingers to unlock the device when the rotatable member is rotated.

28. (Previously presented) The device of claim 5 wherein the at least one engaging finger extends upwardly from adjacent a lower end of the outer member.

29. (Previously presented) The device of claim 19 wherein the at least one engaging finger includes a plurality of engaging fingers; wherein the rotatable member includes a plurality of outwardly extending arms which respectively engage the plurality of engaging fingers along respective camming surfaces to move the engaging fingers radially to unlock the device when the rotatable member is rotated.

30. (Previously presented) The device of claim 29 wherein the rotatable member includes a top wall and a sidewall extending downwardly therefrom; and wherein the plurality of arms extend outwardly from the sidewall.



31. (Previously presented) The device of claim 29 wherein the outer member includes an annular top wall defining an entrance opening of the outer member cavity; wherein a portion of the rotatable member is disposed within the entrance opening; and wherein the plurality of arms are disposed within the outer member cavity and engage the annular top wall to prevent removal of the rotatable member through the entrance opening.

32. (Previously presented) The device of claim 19 wherein the outer member includes a top wall defining an entrance opening of the outer member cavity; wherein a portion of the rotatable member is disposed within the outer member cavity and engages the top wall to prevent removal of the rotatable member through the entrance opening.

33. (Previously presented) The device of claim 32 wherein the at least one engaging finger includes a plurality of engaging fingers; wherein the portion of the rotatable member which engages the outer member top wall respectively engages the plurality of engaging fingers along respective camming surfaces to move the engaging fingers radially to unlock the device when the rotatable member is rotated.

34. (Currently amended) ~~The device of claim 25~~ A bottle security device for use with a bottle having a neck, the bottle security device comprising:

an inner member adapted to fit around at least a portion of the neck of the bottle; the inner member being moveable between locked and unlocked positions;

an outer member defining a cavity and having a sidewall with an inner surface; a portion of the inner member being disposed in the outer member cavity;

a plurality of resilient engaging fingers extending upwardly inside the outer member cavity and selectively lockably engaging the inner member to lock the

device; wherein each engaging finger is disposed entirely inwardly of the inner surface of the outer member sidewall; and

a plurality of strengthening fingers extending upwardly inside the outer member cavity and abutting the inner surface of the outer member sidewall.

35. (Currently amended) The device of ~~claim 25~~ claim 34 wherein the outer member has a lower end; and wherein the strengthening fingers extend upwardly from adjacent the lower end of the outer member.

36. (Currently amended) The device of ~~claim 25~~ claim 34 wherein the strengthening fingers are disposed between the inner member and the outer member sidewall to help prevent deformation of the outer member sidewall.

37. (Currently amended) ~~The device of claim 25 further including~~ A bottle security device for use with a bottle having a neck, the bottle security device comprising:

an inner member adapted to fit around at least a portion of the neck of the bottle; the inner member being moveable between locked and unlocked positions;

an outer member defining a cavity and having a sidewall with an inner surface; a portion of the inner member being disposed in the outer member cavity;

a plurality of resilient engaging fingers extending upwardly inside the outer member cavity and selectively lockably engaging the inner member to lock the device;

a plurality of strengthening fingers extending upwardly inside the outer member cavity and abutting the inner surface of the outer member sidewall; and

a non-rotatable member and a rotatable member rotatably mounted on the non-rotatable member for unlocking the device when the rotatable member is

rotated; and wherein the non-rotatable member is seated atop the strengthening fingers within the outer member cavity.

38. (Previously presented) The device of claim 37 wherein the non-rotatable member engages the outer member to prevent rotation of the non-rotatable member.

39. (Currently amended) ~~The method of claim 26~~ A method comprising the steps of:

providing a bottle security device comprising an inner member adapted to fit around at least a portion of a neck of a bottle; wherein the step of providing includes the step of providing a bottle security device comprising an inner member including includes a plurality of downwardly extending locking fingers; the inner member being moveable between locked and unlocked positions; an outer member defining a cavity; a portion of the inner member being disposed in the cavity; a plurality of resilient fingers extending upwardly inside the outer member cavity and selectively lockably engaging the inner member; wherein each having locking finger has a portion disposed between the plurality of upwardly extending resilient fingers; and a rotatable member; and

forcing the resilient fingers to move radially to unlock the inner member from the resilient fingers by rotating the rotatable member.

40. (Previously presented) The method of claim 39 wherein the step of providing includes the step of providing a bottle security device comprising an intermediate member comprising the plurality of resilient fingers.

41. (Currently amended) ~~The method of claim 26~~ A method comprising the steps of:

providing a bottle security device comprising an inner member adapted to fit around at least a portion of a neck of a bottle; the inner member being

moveable between locked and unlocked positions; an outer member defining a cavity; a portion of the inner member being disposed in the cavity; a plurality of resilient fingers extending upwardly inside the outer member cavity and selectively lockably engaging the inner member; and a rotatable member; and forcing the fingers to move radially to unlock the inner member from the fingers by rotating the rotatable member; and

wherein the step of forcing the fingers to move radially includes the step of applying a force to rotate the rotatable member from a non-rotated position to a rotated position; and further including the step of removing the force to automatically return the rotatable member to the non-rotated position.

42. (Currently amended) The method of ~~claim 26~~ claim 39 wherein the step of forcing the fingers to move radially includes the step of moving a first end of each finger radially while a second end opposed to the first end remains substantially in place.

43. (Currently amended) The method of ~~claim 26~~ claim 39 wherein the step of forcing the fingers to move radially includes the step of flexing each finger radially.

44. (Currently amended) The method of ~~claim 26~~ claim 39 wherein the step of providing includes the step of providing a bottle security device comprising a plurality of resilient fingers extending upwardly inside the outer member cavity from adjacent a lower end of the outer member and selectively lockably engaging the inner member.